

**Memorandum to the File
Case Closure**

**Alleged Misuse of Government Resources,
Travel Irregularities, and Creating a Hostile Work Environment**

(b) (7)(C)

VA Central Office, Washington, DC
(2014-02170-IQ-0087)

VA OIG Administrative Investigations Division investigated allegations that Ms. (b) (7)(C) (b) (7)(C) VA Central Office (VACO), Washington, DC, misused Government resources, traveled numerous times to (b) (7)(C) on official travel, and created a hostile work environment. To assess these allegations, we interviewed Ms. (b) (7)(C) and other VA employees. We reviewed email, travel, and other relevant records, as well as Federal laws, regulations, and VA policy. Ms. (b) (7)(C) resigned her VA position effective June 30, 2014.

Standards of Ethical Conduct for Employees of the Executive Branch state that an employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes. 5 CFR § 2635.704. They also state that employees shall use official time in an honest effort to perform official duties and that an employee not under a leave system, including a Presidential appointee, has an obligation to expend an honest effort and a reasonable proportion of their time in the performance of official duties. *Id.*, at § 2635.705. Federal regulations state that an employee shall not engage in conduct prejudicial to the Government. 5 CFR § 735.203. VA policy requires employees to maintain high standards of integrity, conduct, effectiveness, and efficiency that promote the best interest of service and that disrespectful conduct, use of insulting, abusive, or obscene language is punishable. VA Handbook 5021, Part 1, Chapter 1 and Appendix A.

In reference to an allegation that Ms. (b) (7)(C) misused Government resources by having VA employees park her personal car, Ms. (b) (7)(C) told us that her duty hours were 8:30 a.m. to 5:30 p.m. and that she usually arrived to work around 7:30 a.m. She said that there was one occasion when a subordinate parked her car, because she was running late, needed to get a temporary identification card, and the employee wanted to be helpful. Ms. (b) (7)(C) told us that the employee volunteered to park her car and that it was not required or expected. The employee who parked Ms. (b) (7)(C) car told us that Ms. (b) (7)(C) was running late for a meeting with the VA Secretary and that Ms. (b) (7)(C) did not have her entry badge with her. Ms. (b) (7)(C) asked the employee to meet her downstairs to assist with her gaining entry to the building and when the employee arrived, she told Ms. (b) (7)(C) to go on upstairs and she would park her car, since Ms. (b) (7)(C) was late. The employee told us that it was voluntary on her part; she parked Ms. (b) (7)(C) car twice; and she was not aware of any other employee parking Ms. (b) (7)(C) car. Other employees told us that they were not aware of any other employee parking Ms. (b) (7)(C) car.

In reference to an allegation that Ms. (b) (7)(C) misused Government resources by having her employees pick up her dry cleaning, she denied ever asking an employee to pick up her dry cleaning. She said that she used a dry cleaning service located in Alexandria, VA; she did not get her clothes dry cleaned very often; and there was no reason to have an employee to travel to Alexandria, VA, to pick up her clothes. None of the employees interviewed had any knowledge of Ms. (b) (7)(C) asking an employee to pick up her dry cleaned clothes.

In reference to an allegation that Ms. (b) (7)(C) misused employees to have them bring her lunch, she told us that she asked employees to bring her lunch only if they were going downstairs or outside the building to get lunch for themselves, giving them money to pay for her lunch. She said that it was not required or expected and that she, in turn, would offer to bring back lunch for employees when she left the office to get lunch for herself. As an example, she said that on one occasion a group of employees was going out for lunch and she asked them to bring her back something and offered to pay for the entire group's lunch. One employee told us that she, on occasion, picked up lunch for Ms. (b) (7)(C) and that it was a courtesy for employees to ask if anyone wanted anything when they went out for lunch. She said that sometimes Ms. (b) (7)(C) would say yes to the offer and other time she would say no. Another employee told us that she saw Ms. (b) (7)(C) administrative officer bring Ms. (b) (7)(C) lunch. One employee told us that sometimes Ms. (b) (7)(C) would get lunch and buy lunch for the entire staff; at times, the staff bought lunch for Ms. (b) (7)(C) with her money; and at times, he offered to get her lunch when he went out to lunch. Other employees gave similar accounts of their experiences with Ms. (b) (7)(C) and the courtesy of picking up lunch for one another.

In reference to an allegation that employees bought Ms. (b) (7)(C) gifts, Ms. (b) (7)(C) told us that no employee bought her gifts. She said that they gave gifts to employees who were leaving, such as pens and things of that nature, and that they usually collected money for these going away gifts. She further said that if the collection was short, she made up the difference. All of the employees told us that they had no knowledge or were aware of any gifts bought for Ms. (b) (7)(C) and that purchased gifts were for employees leaving the organization and on special occasions, such as new births.

In reference to an allegation that Ms. (b) (7)(C) misused travel funds to travel to [REDACTED] to visit her husband and friends, Ms. (b) (7)(C) told us that since being at VA she took seven trips to [REDACTED]. She said that she and her husband divorced in February 2011. She said that her official travel to [REDACTED] was for various reasons and that her most recent trip was for a Homeless Stand Down. VA's website states that a Homeless Stand Down is an effort to provide services to homeless veterans, such as food, shelter, clothing, health screenings, etc., and a January 17, 2014, email reflected that VA's chief of staff requested that Ms. (b) (7)(C) participate in this particular effort. Ms. (b) (7)(C) said that VA leadership asked senior leaders to support events in various locations, and a review of the requests sent to Ms. (b) (7)(C) supported all of her official travel. Ms. (b) (7)(C) said that none of her travel to [REDACTED] was to visit her husband or friends. She said that on only one occasion did she see her husband at an official function, because at that time, he was employed by the [REDACTED] Governor's office. An employee told us that Ms. (b) (7)(C) traveled to [REDACTED] often, but she was invited to speak at different official VA functions. The employee said that depending on the issue, VA's

leadership made the decision as to who went where. Other employees told us that they were not involved in Ms. (b) (7)(C) travel arrangements, did not know why she traveled to [REDACTED] or if her travel was for official purposes. The employee that arranged her travel told us that every time Ms. (b) (7)(C) traveled, it was for official VA business.

In reference to an allegation that Ms. (b) (7)(C) created a hostile work environment, Ms. (b) (7)(C) told us that the employees in her office were dedicated to doing their jobs, the work was challenging, the workload very heavy, and there was a concerted effort to keep resources in place to keep the workload distributed equally. She said in the 5 years that she was there, her office responded to "hundreds of thousands" of Congressional requests. She said that each week she reminded her staff not to take on extra responsibilities and that if they felt overly burdened or could not meet a deadline, to bring it to her attention. She further said that she had an open door policy, weekly staff meeting, etc., and employees could talk to her about any issue. Ms. (b) (7)(C) told us that it was a very busy office with heavy demands, both internally and from Congress. She said that she probably yelled at her employees, but she said it was probably more of being passionate about a particular situation. Further, she said that one of the things that made the job challenging was that some of the imposed deadlines could not be met.

One employee told us that she did not know of any employee that left or retired from that office because of Ms. (b) (7)(C). She said, "Perhaps because the work was too fast pace[d]; it's a high pressured office, and it could be very intimidating." She further said, "Ms. (b) (7)(C) is one who wanted employees to get their work done," due to the high visibility of the office, and Ms. (b) (7)(C) wanted things done in a manner in which employees were always professional and involved in the issues. She said that the work environment was such that the leadership held employees responsible for their work. She said that she had no knowledge of Ms. (b) (7)(C) yelling or publically humiliating staff members. Another employee told us that some of the employees in that office were complainers. She said that she did what was required to get the job done; it was a good place to work; but some employees made it terrible, since they looked and talked down to other employees. She said that depending on whom you talk to, you would get varying descriptions of the work place environment, because employees were held accountable for doing their work. She also said that she had no knowledge of Ms. (b) (7)(C) yelling or publicly humiliated a staff member or anyone else.

Another employee told us that their office was incredibly busy, serving 541 members of Congress, at minimum two committees, and processed 100,000 queries of some kind in the last 4 years. He said that they testified frequently on the Hill, and when Ms. (b) (7)(C) came on board, she successfully increased the size of the office to balance the work. He said that the job was very stressful with high expectations from VA and Congress and that there was "significant external pressure to perform, perform, and perform." He further said that Ms. (b) (7)(C) had high expectations and expected deadlines to be met, but some employees may not have liked that focus and drive. He said that he did not recall her yelling or harassing employees, but with the pressures of the job, there were stressful conversations.

One employee told us that she considered it a hostile workplace, because so many things came up that were unexpected and she had to work Saturdays to keep up with her workload. She said that one employee had difficulties with another employee in the office and that the employee felt as if she was "black-balled" and overlooked for promotions. However, the employee told us that Ms. (b) (7)(C) was not the (b) (7)(C) during that time period. The employee also said that it was certain employees that created the hostile work environment and not Ms. (b) (7)(C). Further, she told us that she did not know of any occasion when Ms. (b) (7)(C) yelled or publically humiliated a staff member or anyone else.

Another employee told us that he thought a majority of the staff had a desire to seek employment elsewhere, due to the amount of work and related stress of the work, but he said that he would not describe the work environment as hostile. He told us that he did not believe that the employees were harassed, or that Ms. (b) (7)(C) generated an oppressive atmosphere, but it was a pressure filled environment. He further said that Ms. (b) (7)(C) had very high expectations, and she expected employees to bring their tasks to closure, whatever it took, that was her tempo and that was difficult for a lot of employees. He told us that the employees worked long hours; however, the employees felt as if they were being chastised when they requested compensatory or overtime for working those hours.

A former employee told us that the office was very high-tempo, a lot of inquiries came in from congressional offices and that it was a very stressful environment. He said that they worked long hours; it was common and expected. He also said that an employee was expected to stay as long as needed to get the job done. He said that he and Ms. (b) (7)(C) had a good working relationship, but she could be intimidating. He had no knowledge of Ms. (b) (7)(C) ever yelling or publically humiliating anyone. He said that he thought employees left for various reasons, to take on different responsibilities, tired of the job, or burned out in the high-stress environment in which the Hill was constantly criticizing you.

Another employee told us that he did not think that the office environment was hostile but that there were certain employees that were not accustomed to working in an environment that required them to document and report on every task. He said that there were unhappy staffers, partly because of the line of work and partly because of the daily accusations from Congressional offices. Further, he said that the office environment was getting worse because of the overwhelming workload, employees being burned out, the office not getting support from other Department offices, and the constant attacks from the Hill. He said that he never witnessed Ms. (b) (7)(C) yell at her staff; however, he has heard voices raised and confrontations done away from other staff members. He said that he never saw Ms. (b) (7)(C) publically humiliate anyone.

Further, another employee told us that she has sought employment elsewhere since 2007 when she first began working in that office. She said that other employees harassed and threatened her, but when she reported the harassment to building security, they told her that they could take no action since she was not in imminent harm. She said that she also reported it to her management, but nothing was done. She further said that the managers also harassed her and that she went through 10 to

12 managers in her tenure there. She did not provide any examples of what she perceived as harassment towards her, and only said that there were a number of incidents with employees. She further said that Ms. (b) (7)(C) was not involved in any of her claimed incidents of harassment. She told us that she did not know why someone would make such an allegation against Ms. (b) (7)(C) but that everyone in the office had a different personality, mood swings, frustrations, and stress.

Another employee told us that she perceived it as a hostile working environment, because Ms. (b) (7)(C) did not have any women in leadership positions. In addition, she said that she thought Ms. (b) (7)(C) was biased against women. She said that every young man hired was given a career ladder promotion as soon as eligible, but there were women who were at the top grade for their position who were not promoted. The employee told us that she heard Ms. (b) (7)(C) yell at a staff member, but when asked to describe the words used, who was present, or give an example, she said that she couldn't think of an example. The employee told us that she was angry at Ms. (b) (7)(C) because Ms. (b) (7)(C) (b) (7)(C)

Conclusion

We did not substantiate the allegations that Ms. (b) (7)(C) misused Government resources, misused funds by frequently visiting (b) (7)(C) to visit her husband, or that she created a hostile work environment. On two occasions, an employee volunteered to park Ms. (b) (7)(C) car when she ran late for staff meetings; we found no evidence that Ms. (b) (7)(C) asked any of her employees to pick up her dry cleaning; we found no evidence that Ms. (b) (7)(C) subordinates improperly gave her gifts; and we found that it was standard office courtesy to offer to pick up lunch for one another when an employee left the office space at lunch time. Further, travel records reflected that Ms. (b) (7)(C) traveled frequently and eight of her trips were to (b) (7)(C) however, email, travel, and VA leader request records provided justification for each of those trips. Moreover, we found that the office was fast-paced, high pressure, due to the nature of the work, and although Ms. (b) (7)(C) had high expectations and expected employees to do whatever was necessary to complete their tasks, she did not create a hostile work environment. We are therefore closing these allegations without issuing a formal report or memorandum.

Prepared by:

(b) (7)(C)

9/11/2014
Date

Approved by:

(b) (7)(C)

9/11/2014
Date